

SUMMARY MINUTES OF THE SAINT PAUL CITY COUNCIL Wednesday, January 3, 2007 - 3:30 p.m.

PUBLIC HEARINGS - 5:30 P.M.

CITY COUNCIL CHAMBERS, 3RD FLOOR City Hall and Court House 15 West Kellogg Boulevard

Note: All City Council meetings are on the City of Saint Paul's website. Meetings can be viewed in their entirety or a specific item can be viewed. Visit our website at www.ci.stpaul.mn.us/council and click on Watch the Live Webcast.

The meeting was called to order by Council President Lantry at 3:30 p.m.

Present – 5 – Bostrom, Harris, Lantry, Montgomery, Thune

Absent -2 – Benanav (arrived after the consent agenda), Helgen (excused)

CONSENT AGENDA (Items 1 - 19)

NOTE: ALL ITEMS LISTED UNDER CONSENT AGENDA WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS. IF DISCUSSION IS DESIRED BY A COUNCILMEMBER, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

Councilmember requested Item 7 be laid over one week.

Councilmember Thune moved approval of the consent agenda as amended.

Adopted as amended Yeas -5 Nays -0

COMMUNICATIONS AND ADMINISTRATIVE ORDERS

1. Claims of Marlene Harrington, James A. Olson, Mary E. Olson, Mindy Ostron, and Janet Thompson.

Referred to Risk Management

2. Statement of Claim and Summons in the matter of Joseph Desenclos vs. one 1997 Dodge Ram truck.

Referred to the City Attorney's Office

- 3. Complaint in the matter of Jimmy J. Micus vs. the City of Saint Paul et al. Referred to the City Attorney's Office
- 4. Administrative Orders:

D002622 Transferring budget authority to provide sufficient funding at the budgetary control level of the Parks and Recreation 2006 General Fund 001.

D002623 Accepting a sewer easement on the Jimmy Lee Recreation Center site.

On File in the City Clerk's Office

FOR ACTION

5. Resolution – 07-01 – Proclaiming Saturday, January 6, 2007 to be forever known in the great City of Saint Paul as *Ryan Ballanger Day*.

Adopted Yeas - 5 Nays - 0

(This item was reconsidered at the time of the public hearings)

6. Resolution – 07-02 – Approving the appointments of Deb Jessen, Gloria Zaiger, and Pat Sellner, by Mayor Coleman, to the Long Range Capital Improvement Budget (CIB).

Adopted Yeas – 5 Nays – 0

7. Resolution – 07-03 – Approving the appointments of Rick Vasquez, Carrie Coleman, Butch Howard, Jane Sanem, Cynthia Yongvang, Elizabeth Starling, Leah Ann Ahmad, Rob McKenzie, Lora Stone, and Lee Helgen; and the reappointments of Paul Nelson, Barbara Reindl, Tom Macy, Jackie Mlynarczyk, William Lowe, Lorrie Louder, Michael Chanaka, Kathleen Engesser, Douglas Hubbard, Nancy Hendrickson, and Willie Nessbitt, by Mayor Coleman, to the Workforce Investment Board.

Laid over to January 10 Yeas - 5 Nays - 0

8. Resolution – 07-04 – Providing for the negotiated sale of Water Revenue Refunding Bonds.

Adopted Yeas - 5 Nays - 0

9. Resolution – 07-05 – Approving the application with conditions, per the Legislative Hearing Officer, for Second Hand Dealer – Motor Vehicle, Second Hand Dealer – Motor Vehicle Parts and Auto Repair Garage licenses by Jerry Castillo, d/b/a Amigos Auto Center and Sales, 1445 Arcade Street.

Adopted Yeas - 5 Nays - 0

10. Resolution – 07-06 – Approving the application with conditions, per the Legislative Hearing Officer, for a Second Hand Dealer – Motor Vehicle Parts license by Khoa Van Mac, owner, d/b/a Mac Auto Center, 1007 Arcade Street.

Adopted Yeas - 5 Nays - 0

11. Resolution – 07-07 – Amending Council File 06-1011 deleting the assessment for property clean-up at 615 Lawson Avenue East.

Adopted Yeas - 5 Nays - 0

12. Resolution – 07-08 – Authorizing STAR funding for the Old Brickyard Trail improvement which will connect the upper river bluffs near Cherokee Park to lower Lilydale Park, and creating an associated budget.

Adopted Yeas - 5 Nays - 0

13. Resolution – 07-09 – Authorizing STAR funding to be used towards the Margaret Tot-lot Improvement Project.

Adopted Yeas - 5 Nays - 0

14. Resolution – 07-10– Authorizing the Division of Parks and Recreation to receive reimbursement from the Capital Region Watershed District and the Lower Phalen Creek Project for watering services rendered during the 2006 summer drought.

Adopted Yeas - 5 Nays - 0

15. Resolution – 07-11 – Amending the McMurray Artificial Turf Field project budget to recognize the addition of STAR grant funding.

Adopted Yeas - 5 Nays - 0

16. Resolution – 07-12 – Authorizing the proper City officials to execute a 16-year lease with the Como Zoo and Conservatory Society to locate the Garden Safari Gift Shop in the Como Visitor Center.

Adopted Yeas - 5 Nays - 0

17. Resolution – 07-13– Authorizing the proper City officials to execute a 5-year lease with the Como Zoo and Conservatory to locate their administrative offices in the Como Zoological Building.

Adopted Yeas - 5 Nays - 0

18. Resolution – 07-14 – Authorizing an amendment to the existing agreement between the City of Saint Paul and Ramsey County for the continued successful operation, maintenance, and upkeep of the City Hall/Court House building based on an annual amount that the County will bill the City quarterly.

Adopted Yeas - 5 Nays - 0

19. Resolution Approving Assessment – 07-15– In the matter of summary abatement (property clean-ups) from October 30 to December 1, 2006 (J0617A); providing weekly garbage hauling services from October 31 to November 28, 2006 (J0615G); demolition of vacant buildings during November, 2006 (J0608C); towing abandoned vehicles from private properties during September, 2006 (J0606V); summary abatement for the excessive consumption of inspection services for property code violations billed from August 2 to September 1, 2006 (J0607E); and setting date of Legislative Hearings for January 16, 2007 and City Council Public Hearings for February 7, 2006.

Adopted Yeas - 5 Nays - 0

Suspension Item:

Councilmember Thune moved suspension of the rules to introduce the following resolution: Yeas - 6 Nays - 0

Resolution – 07-16– Proclaiming Friday, January 5, 2007 as *Donna Swanson Day* in the City of Saint Paul commemorating her work for the City of Saint Paul.

Councilmember Thune read the resolution and presented Ms. Swanson with a plaque. Ms. Swanson responded with words of gratitude for the opportunity she had to work for Ward 2 and the City Council

Councilmember Thune moved approval.

Adopted Yeas - 6 Nays - 0

FOR DISCUSSION

20. Resolution – 06-1083 – Adopting revisions to the Neighborhood STAR Program Guidelines. (Laid over from December 20, 2006)

Councilmember Thune moved to lay over one week.

Laid over to January 10 Yeas - 6 Nays - 0

ORDINANCES

NOTE: AN ORDINANCE IS A CITY LAW ENACTED BY THE CITY COUNCIL. IT IS READ AT FOUR SEPARATE COUNCIL MEETINGS AND BECOMES EFFECTIVE AFTER PASSAGE BY THE COUNCIL AND 30 DAYS AFTER PUBLICATION IN THE <u>SAINT PAUL LEGAL LEDGER</u>.

21. Final Adoption – 06-1071 – An ordinance adding Chapter 98 to the Saint Paul Administrative Code for the purpose of establishing Saint Paul's Living Wage Requirements. (Substitute introduced and amended December 20; amended and laid over December 27)

Councilmember Thune commended Councilmember Helgen for his stellar work in seeing this ordinance through as well as the work of the community.

Council President Lantry also extended her appreciation for the hard work and dedication of everyone involved in crafting the Living Wage ordinance.

Councilmember Thune moved approval.

Adopted Yeas - 6 Nays - 0

The meeting was recessed from 4:40 to 5:30 p.m.

Present -5 Absent -2 – Benanav, Helgen (both excused)

Councilmember Bostrom moved to reconsider Item No. 5 Yeas – 5 Nays – 0

Councilmember Bostrom said when this item was considered as a part of the consent agenda, he did not know the family was present. This is a significant event for the family of Ryan Ballanger who is going to be an Eagle Scout, Bostrom said. Mr. Bostrom read the resolution into the record and moved approval.

Adopted Yeas - 5 Nays - 0

PUBLIC HEARINGS

22. Resolution – 06-1137 – Ordering the owner to remove or repair the building(s) at 492 Bay Street within fifteen (15) days from adoption of resolution. (GS 3034438) (Public Hearing continued from December 20) (Legislative Hearing Officer recommends granting the owner one hundred-eighty (180) days to complete the repairs provided the following conditions are met by noon on Tuesday, January 2, 2007: 1) delinquent real estate taxes must be paid; 2) an approved work plan must be developed outlining a timeline for completing the repairs in accordance with the Code Compliance Inspection Report; and 3) provide approved documentation outlining the financial wherewithal to complete the necessary repairs.)

Marcia Moermond, Legislative Hearing Officer, stated that the bond was posted, a code compliance inspection was completed, and the fees are paid. However, a work plan has not been received for the rehabilitation of the property nor a financial plan for the financing of the rehabilitation. The property is presently in foreclosure and the bank does not have control over the property in order to execute the rehabilitation. She noted a letter was received from the mortgage holder with a request to delay demolition until possibly February when they may have control of the property. Because the nuisance cannot be abated by the current owner in the specified timeline, she recommended removal of the property within 15 days.

Christina Weber, appeared on behalf of Countrywide Home Loans, the current holder of a sheriff's certificate on this property. She noted that the foreclosure sale was held August 31, 2006 and the redemption is set to expire the end of February, 2007. Minnesota Statutes provides them, as a holder of a sheriff's certificate and previously as a holder of a mortgage, a very limited right to enter the premises to make repairs. They are only allowed to enter the premises to prevent waste and to secure and winterize. She said several of the problems listed in the initial order to abate, which was issued in October, have been addressed. She displayed photos of some of the problems they have addressed and requested that demolition be held off until the end of February when a work plan and financial plan could be completed.

Ms. Moermond said her concern is that even if the bank gets the property at the end of February, it may not be in their interest to do a rehabilitation at that point in time. Also, they have not committed the financing to do rehabilitation.

Councilmember Thune said it's his understand that this property has had a problem with graffiti and has been broken into. Ms. Moermond responded that was true on both accounts and the City has had to secure the building. Thune said the property has been a nuisance in the neighborhood as well as a dangerous property. Ms. Weber responded that since it's been secured, there have not been issues with vandalism. Countrywide will make routine inspections of the property.

Councilmember Thune moved to close the public hearing. Yeas - 5 Nays - 0

Councilmember Thune moved that the building be removed within five days. Adopted as amended (remove the building within five (5) days)

Yeas - 5 Nays - 0

23. Appeal of Quality Residences, LLC to a Vacant Building Registration Form for property at 40 Atwater Street. (Legislative Hearing Officer recommends granting the appeal.)

No one appeared in opposition; Councilmember Harris moved to close the public hearing and to grant the appeal.

Appeal Granted Yeas - 5 Nays - 0

24. Appeal of Laura Jelinek, Southern Minnesota Regional Legal Services, on behalf of Hawo Abdile to a Notice of Condemnation and Order to Vacate property at <u>453</u> Sherburne Avenue. (Legislative Hearing Officer recommends granting the appeal.)

No one appeared in opposition; Councilmember Montgomery moved to close the public hearing and grant the appeal.

Appeal Granted Yeas - 5 Nays - 0

25.	Appeal of Ronald Williams to a Notice of Condemnation and Order to Vacate property at
	790 Rose Avenue East. (Legislative Hearing Officer recommends denying the appeal.)

No one appeared in opposition; Councilmember Bostrom moved to close the public hearing and deny the appeal.

Appeal denied Yeas -5 Nays -0

26. Appeal of Beth Woolsey to a Summary Abatement Order for property at <u>676 Wells Street</u>. (Legislative Hearing Officer's recommendation is forthcoming; <u>deny the appeal</u> with a compliance date of January 16, 2007.)

No one appeared in opposition; Councilmember Bostrom moved to close the public hearing and deny the appeal.

Appeal denied with a compliance date of January 16 (per the recommendation of the Legislative Hearing Officer) Yeas - 5 Nays - 0

Councilmember Thune moved to adjourn the meeting. Yeas - 5 Nays - 0

ATTEST:	ADJOURNED at 5:50 P.M.
Mary Erickson Assistant Council Secretary	Kathy Lantry, Council President
Submitted by:	January 24, 2007
Mary Erickson	Minutes approved by Council